

DEPLORING MISUSE OF INTERNATIONAL COURT OF JUSTICE BY UNITED NATIONS GENERAL ASSEMBLY FOR POLITICAL PURPOSE

SPEECH OF

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 14, 2004

Mr. MATSUI. Mr. Speaker, I rise today in support of the resolution deploring the misuse of the International Court of Justice for its advisory opinion on Israel's security fence. I also stand in strong support of Israel's right to defend itself against the ongoing threat of terrorism.

There has been considerable debate about the line the security fence follows, but there can be no doubt about the effectiveness of the fence in protecting against suicide attacks. The fence simply works. There has been a dramatic drop in the number of attacks on Israelis where the fence is in place and operational. And according to Israel Defense Minister Shaul Mofaz, security officials have been able to prevent an estimated 95 percent of overall Palestinian attacks.

The reason there is need for a fence speaks directly to the heart of the Israeli-Palestinian conflict—there are no borders, but there is terrorism. There must be direct negotiations between the Israelis and Palestinians to reach an agreed upon solution that not only provides Israel with secure and defensible borders, but ultimately establishes a state for the Palestinians. But when this political debate will be resolved is unknown and until Israel has a legitimate partner to negotiate with, Israel must protect her people.

In endorsing the roadmap, even the United Nations acknowledged that this is a political debate that can only be resolved through direct negotiations. Yet, even though the U.N. Charter states that the General Assembly can only refer cases concerning legal issues to the International Court of Justice, ICJ, this political matter was taken under consideration. In their ruling, the ICJ did not take into account the context of the terrorist threat that led Israel to construct the fence. Nor did it consider the steps Israel has taken throughout construction of the fence. Numerous modifications and changes have been made to ease the hardship on Palestinians.

Most recently—even before the ICJ's ruling—the Israeli Supreme Court addressed the position of the fence and its effects on Palestinians' access to their homes and jobs. The Israeli government is moving quickly to change the route of the security fence. By doing this, Israel is responsibly balancing its security needs and the humanitarian needs of the Palestinians not involved in terrorists acts. Clearly there is no need for an outside organization to pass judgment.

Ultimately, the ICJ overstepped its jurisdiction by hearing the case in the first place, which could have negative consequences for the peace process. Over 40 countries, including the United States, Canada, and most European Union countries, opposed the ICJ's consideration of the case because of their concerns about jurisdiction and politicization of the court.

Israel has said the security fence is a temporary self-defense measure. It is not meant

to replace the peace process and does not preclude final status negotiations. The construction of the fence is reversible, but the taking of Israeli lives is not. The ICJ's ruling was inappropriate and harmful. The United States needs to stand firm with Israel, and as the United Nations continues to consider this issue, I call on the international community to recognize Israel's absolute right to defend itself.

DEPLORING MISUSE OF INTERNATIONAL COURT OF JUSTICE BY UNITED NATIONS GENERAL ASSEMBLY FOR POLITICAL PURPOSES

SPEECH OF

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 14, 2004

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I intend to vote "yes" on H. Res. 713.

I am voting for the resolution in part to dispel any notion that I am anti-Israel or that I am not sensitive to Israel's right to self-defense.

The United States cannot ignore the horror of terror against Israeli civilians and we should not ignore equally outrageous terror against Palestinian civilians. I also believe the President should express support of the United States toward an initiative that strives for peace for both sides instead of one side. The Congress should demand Israel as well as Palestine to live up to their commitment to peace.

I strongly support Israel, but I also strongly support efforts to bring about peace in the region, which will allow the Israeli and Palestinian people to live together side by side, peaceful and secure.

I am hopeful that soon this Congress will take up a balanced resolution that will address the needs of Israelis and Palestinians. When we do that, we will be taking one of the first steps to truly pursuing peace and advancing democracy.

DEPLORING MISUSE OF INTERNATIONAL COURT OF JUSTICE BY UNITED NATIONS GENERAL ASSEMBLY FOR POLITICAL PURPOSE

SPEECH OF

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 14, 2004

Mr. HOLT. Mr. Speaker, I rise to express my concerns regarding H. Res. 713.

I strongly believe that Israel has the right to defend itself against terrorism. I certainly share the conviction of many of my colleagues who supported this resolution that Israel has the right to construct a security barrier. That right of protection should be unquestioned. In fact, I suggested the construction of a security barrier between Israel and the Palestinians in the West Bank years ago, long before the Israeli government proposed erecting such a security fence.

While I support Israel's decision to build a security barrier, I recognize that the current path of the separation barrier has been questioned, notably by the Supreme Court of Israel, in large part because of the displacement of Palestinians. Fortunately, the orderly governmental process in Israel has resulted in a compromise that balances the security interests of Israel with rights of minorities. On June 30, the Supreme Court ordered the re-routing of a 20-mile section of the barrier inside the West Bank northwest of Jerusalem that was in the initial stages of construction because it was too burdensome on Palestinians. I applaud Israel's government for agreeing to comply with the Court's ruling.

Despite these positive developments in the region, today we are considering in the House a resolution that is divisive and not constructive. Over the decades, the United States has been essential in facilitating negotiations along the road to peace. The U.S. should be first in support of Israel's right to build a fence if she believes it will protect her citizens. However, Congress should not formally endorse the wall in its existing form, nor should we oppose it. To do either compromises the U.S. and any peace process. The U.S. should not get involved in that issue except as a facilitator of negotiations between the parties to advance the cause of peace.

I rarely vote present. However, the false choice presented by this resolution could justify neither a yea or nay vote. While the resolution expresses support for Israel's right to construct a security barrier, it is clear to me that this measure was a cynical attempt to divide people for political gain here in the United States.

It is the responsibility of the pro-Israel community—of which I am a member—to support measures that advance the security of Israel. This legislation does not do that. This measure is a cynical attempt that purports to support Israel but uses inflammatory language directed at members of the international community. This resolution undermines the steps we have taken to resolve the Israeli-Palestinian conflict, compromises our ability to assist in the future, and makes Israel and the entire region less secure.

The future security of the Middle East depends on negotiating a just, permanent, and peaceful settlement between Israelis and Palestinians that both guarantees Israel's security and establishes a Palestinian state. I cannot support resolutions, such as H. Res. 713, that are detrimental to this process.

CENTENNIAL OF THE NATIONAL ASSOCIATION OF SECRETARIES OF STATE (NASS)

HON. ROY BLUNT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 15, 2004

Mr. BLUNT. Mr. Speaker, as a former Secretary of State of Missouri, I am pleased to be able to speak today on behalf of the National Association of Secretaries of State.

The National Association of Secretaries of State is the oldest association of public officials in the United States, created and established in September 1904 at the World's Fair in St. Louis, Missouri. This year marks the